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1 **R307. Environmental Quality, Air Quality.**

2 **R307-840. Lead-Based Paint Program Purpose, Applicability, and**  
3 **Definitions.**

4 **R307-840-1. Purpose and Applicability.**

5 (1) Rule R307-840, R307-841, and R307-842 establish  
6 procedures and requirements for the accreditation of training  
7 programs for lead-based paint activities and renovations,  
8 procedures and requirements for the certification of individuals  
9 and firms engaged in lead-based paint activities and renovations,  
10 and work practice standards for performing such activities. These  
11 rules also require that, except as outlined in R307-840-1(2), all  
12 lead-based paint activities and renovations, as defined in these  
13 rules, must be performed by certified individuals and firms.

14 (2) R307-840, R307-841, and R307-842 apply to all  
15 individuals and firms who are engaged in lead-based paint  
16 activities and renovations as defined in R307-840-2, except  
17 persons who perform these activities within residential dwellings  
18 that they own, unless the residential dwelling is occupied by a  
19 person or persons other than the owner or the owner's immediate  
20 family while these activities are being performed, or a child  
21 residing in the building has been identified as having an elevated  
22 blood lead level.

23 (3) R307-840, R307-841, and R307-842 identify lead-based  
24 paint hazards. The standards for lead-based paint hazards apply  
25 to target housing and child-occupied facilities.

26 (4) R307-840, R307-841, and R307-842 do not require the  
27 owner of the property or properties subject to these rules to  
28 evaluate the property or properties for the presence of lead-based  
29 paint hazards or take any action to control these conditions if  
30 one or more of them is identified.

31 (5) While R307-840, R307-841, and R307-842 establish  
32 specific requirements for performing lead-based paint activities  
33 and renovations should they be undertaken, these rules do not  
34 require that the owner or occupant undertake any particular lead-  
35 based paint activity or renovation.

36 (6) Individuals or firms wishing to deviate from the  
37 certification, notification, work practice, or other requirements  
38 of R307-840, R307-841, and/or R307-842 may do so only after  
39 requesting and obtaining written approval from the director.

40  
41 **R307-840-2. Definitions.**

42 The following definitions apply to R307-840, R307-841, and  
43 R307-842, in addition to the definitions found in R307-101-2.

44 "Abatement" means any measure or set of measures designed to

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1 permanently eliminate lead-based paint hazards. Abatement  
2 includes, but is not limited to:

3 (1) The removal of paint and dust, the permanent enclosure  
4 or encapsulation of lead-based paint, the replacement of painted  
5 surfaces or fixtures, or the removal or permanent covering of  
6 soil, when lead-based paint hazards are present in such paint,  
7 dust, or soil; and

8 (2) All preparation, cleanup, disposal, and post-abatement  
9 clearance testing activities associated with such measures.

10 (3) Specifically, abatement includes, but is not limited to:

11 (a) Projects for which there is a written contract or other  
12 documentation, which provides that an individual or firm will be  
13 conducting activities in or to a residential dwelling or child-  
14 occupied facility that:

15 (i) Shall result in the permanent elimination of lead-based  
16 paint hazards; or

17 (ii) Are designed to permanently eliminate lead-based paint  
18 hazards and are described in paragraphs (1) and (2) of this  
19 definition.

20 (b) Projects resulting in the permanent elimination of lead-  
21 based paint hazards, conducted by firms or individuals certified  
22 in accordance with R307-842-2, unless such projects are covered by  
23 paragraph (4) of this definition;

24 (c) Projects resulting in the permanent elimination of lead-  
25 based paint hazards, conducted by firms or individuals who,  
26 through their company name or promotional literature, represent,  
27 advertise, or hold themselves out to be in the business of  
28 performing lead-based paint activities as identified and defined  
29 by this section, unless such projects are covered by paragraph (4)  
30 of this definition; or

31 (d) Projects resulting in the permanent elimination of lead-  
32 based paint hazards that are conducted in response to State of  
33 Utah or local abatement orders.

34 (4) Abatement does not include renovation, remodeling,  
35 landscaping or other activities, when such activities are not  
36 designed to permanently eliminate lead-based paint hazards, but,  
37 instead, are designed to repair, restore, or remodel a given  
38 structure or dwelling, even though these activities may  
39 incidentally result in a reduction or elimination of lead-based  
40 paint hazards. Furthermore, abatement does not include interim  
41 controls, operations and maintenance activities, or other measures  
42 and activities designed to temporarily, but not permanently,  
43 reduce lead-based paint hazards.

44 "Accredited Training Program" means a training program that

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1 has been accredited by the director pursuant to R307-842-1 to  
2 provide training for individuals engaged in lead-based paint  
3 activities.

4 "Adequate Quality Control" means a plan or design which  
5 ensures the authenticity, integrity, and accuracy of samples,  
6 including dust, soil, and paint chip or paint film samples.  
7 Adequate quality control also includes provisions for  
8 representative sampling.

9 "Arithmetic Mean" means the algebraic sum of data values  
10 divided by the number of data values (e.g., the sum of the  
11 concentration of lead in several soil samples divided by the  
12 number of samples).

13 "Business Day" means Monday through Friday with the exception  
14 of federal and State of Utah holidays.

15 "Certificate of Mailing" means Certificate of Mailing as  
16 defined by the United States Postal Service.

17 "Certified Abatement Worker" means an individual who has been  
18 trained by an accredited training program and certified by the  
19 director pursuant to R307-842-2 to perform abatements.

20 "Certified Dust Sampling Technician" means an individual who  
21 has been trained by an accredited training program and certified  
22 by the director pursuant to R307-841-8(1) and R307-842-2 to  
23 collect dust samples.

24 "Certified Firm" means a company, partnership, corporation,  
25 sole proprietorship or individual doing business, association, or  
26 other business entity; a federal, state, tribal, or local  
27 government agency; or a nonprofit organization that performs lead-  
28 based paint activities, renovations, or dust sampling to which the  
29 director has issued a certificate of approval pursuant to R307-  
30 842-2(5).

31 "Certified Inspector" means an individual who has been  
32 trained by an accredited training program and certified by the  
33 director pursuant to R307-842-2 to conduct inspections. A  
34 certified inspector also samples for the presence of lead in dust  
35 and soil for the purposes of abatement clearance testing.

36 "Certified Project Designer" means an individual who has been  
37 trained by an accredited training program and certified by the  
38 director pursuant to R307-842-2 to prepare abatement project  
39 designs, occupant protection plans, and abatement reports.

40 "Certified Renovator" means an individual who has been  
41 trained by an accredited training program and certified by the  
42 director pursuant to R307-841-8(1) and R307-842-2 to conduct  
43 renovations.

44 "Certified Risk Assessor" means an individual who has been

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1 trained by an accredited training program and certified by the  
2 director pursuant to R307-842-2 to conduct risk assessments. A  
3 risk assessor also samples for the presence of lead in dust and  
4 soil for the purposes of abatement clearance testing.

5 "Certified Supervisor" means an individual who has been  
6 trained by an accredited training program and certified by the  
7 director pursuant to R307-842-2 to supervise and conduct  
8 abatements, and to prepare occupant protection plans and abatement  
9 reports.

10 "Chewable Surface" means an interior or exterior surface  
11 painted with lead-based paint that a young child can mouth or  
12 chew. A chewable surface is the same as an "accessible surface"  
13 as defined in 42 U.S.C. 4851b(2). Hard metal substrates and other  
14 materials that can not be dented by the bite of a young child are  
15 not considered chewable.

16 "Child-Occupied Facility" means a building, or portion of a  
17 building, constructed prior to 1978, visited regularly by the same  
18 child, under 6 years of age, on at least two different days within  
19 any week (Sunday through Saturday period), provided that each  
20 day's visit lasts at least 3 hours and the combined weekly visits  
21 last at least 6 hours, and the combined annual visits last at  
22 least 60 hours. Child-occupied facilities may include, but are  
23 not limited to, day care centers, preschools and kindergarten  
24 classrooms. Child-occupied facilities may be located in target  
25 housing or in public or commercial buildings. With respect to  
26 common areas in public or commercial buildings that contain child-  
27 occupied facilities, the child-occupied facility encompasses only  
28 those common areas that are routinely used by children under age  
29 6, such as restrooms and cafeterias. Common areas that children  
30 under age 6 only pass through, such as hallways, stairways, and  
31 garages are not included. In addition, with respect to exteriors  
32 of public or commercial buildings that contain child-occupied  
33 facilities, the child-occupied facility encompasses only the  
34 exterior sides of the building that are immediately adjacent to  
35 the child-occupied facility or the common areas routinely used by  
36 children under age 6.

37 "Cleaning Verification Card" means a card developed and  
38 distributed, or otherwise approved, by EPA for the purpose of  
39 determining, through comparison of wet and dry disposable cleaning  
40 cloths with the card, whether post-renovation cleaning has been  
41 properly completed.

42 "Clearance Levels" are values that indicate the [maximum]  
43 amount of lead [permitted] in dust on a surface following  
44 completion of an abatement activity. To achieve clearance when

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1 dust sampling is required, values below these levels must be  
2 achieved.

3 "Common Area" means a portion of a building that is generally  
4 accessible to all occupants. Such an area may include, but is not  
5 limited to, hallways, stairways, laundry and recreational rooms,  
6 playgrounds, community centers, garages, and boundary fences.

7 "Common Area Group" means a group of common areas that are  
8 similar in design, construction, and function. Common area groups  
9 include, but are not limited to hallways, stairways, and laundry  
10 rooms.

11 "Component or Building Component" means specific design or  
12 structural elements or fixtures of a building or residential  
13 dwelling that are distinguished from each other by form, function,  
14 and location. These include, but are not limited to, interior  
15 components such as ceilings, crown molding, walls, chair rails,  
16 doors, door trim, floors, fireplaces, radiators and other heating  
17 units, shelves, shelf supports, stair treads, stair risers, stair  
18 stringers, newel posts, railing caps, balustrades, windows and  
19 trim (including sashes, window heads, jambs, sills or stools and  
20 troughs), built in cabinets, columns, beams, bathroom vanities,  
21 counter tops, and air conditioners, and exterior components such  
22 as painted roofing, chimneys, flashing, gutters and downspouts,  
23 ceilings, soffits, fascias, rake boards, cornerboards, bulkheads,  
24 doors and door trim, fences, floors, joists, lattice work,  
25 railings and railing caps, siding, handrails, stair risers and  
26 treads, stair stringers, columns, balustrades, window sills or  
27 stools and troughs, casings, sashes and wells, and air  
28 conditioners.

29 "Concentration" means the relative content of a specific  
30 substance contained within a larger mass, such as the amount of  
31 lead (in micrograms per gram or parts per million by weight) in a  
32 sample of dust or soil.

33 "Containment" means a process to protect workers and the  
34 environment by controlling exposures to the lead-contaminated dust  
35 and debris created during an abatement.

36 "Course Agenda" means an outline of the key topics to be  
37 covered during a training course, including the time allotted to  
38 teach each topic.

39 "Course Test" means an evaluation of the overall  
40 effectiveness of the training which shall test the trainees'  
41 knowledge and retention of the topics covered during the course.

42 "Course Test Blue Print" means written documentation  
43 identifying the proportion of course test questions devoted to  
44 each major topic in the course curriculum.

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1 "Deteriorated Paint" means any interior or exterior paint or  
2 other coating that is flaking, peeling, chipping, chalking, or  
3 cracking, or any other paint or coating located on an interior or  
4 exterior surface or fixture that is otherwise damaged or separated  
5 from the substrate.

6 "Discipline" means one of the specific types or categories of  
7 lead-based paint activities identified in this rule for which  
8 individuals may receive training from accredited programs and  
9 become certified by the director. Disciplines include Abatement  
10 Worker, Dust Sampling Technician, Inspector, Project Designer,  
11 Renovator, Risk Assessor, and Supervisor.

12 "Distinct Painting History" means the application history, as  
13 indicated by its visual appearance or a record of application,  
14 over time, of paint or other surface coatings to a component or  
15 room.

16 "Documented Methodologies" are methods or protocols used to  
17 sample for the presence of lead in paint, dust, and soil.

18 "Dripline" means the area within 3 feet surrounding the  
19 perimeter of the building.

20 "Dry Disposable Cleaning Cloth" means a commercially  
21 available dry, electrostatically charged, white disposable cloth  
22 designed to be used for cleaning hard surfaces such as uncarpeted  
23 floors or counter tops.

24 "Dust-lead hazard" means surface dust in a residential  
25 dwelling or child-occupied facility that contains a mass-per-area  
26 concentration of lead equal to or exceeding ~~[40]~~10 ug/ft<sup>2</sup> on  
27 floors or ~~[250]~~100 ug/ft<sup>2</sup> on interior window sills based on wipe  
28 samples.

29 "Elevated Blood Lead Level (EBL)" means an excessive  
30 absorption of lead that is a confirmed concentration of lead in  
31 whole blood of ~~[20]~~≥5 micrograms of lead per deciliter of whole  
32 blood (ug/dl) for a single ~~[venous test or of 15-19 ug/dl in two-~~  
33 ~~consecutive tests taken 3 to 4 months apart]~~venous blood test or  
34 two capillary blood tests drawn within 12 weeks of each other.

35 "Emergency Renovation Operations" means renovation  
36 activities, such as operations necessitated by non-routine  
37 failures of equipment, that were not planned but result from a  
38 sudden, unexpected event that, if not immediately attended to,  
39 presents a safety or public health hazard, or threatens equipment  
40 and/or property with significant damage.

41 "Encapsulant" means a substance that forms a barrier between  
42 lead-based paint and the environment using a liquid-applied  
43 coating (with or without reinforcement materials) or an adhesively  
44 bonded covering material.

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1 "Encapsulation" means the application of an encapsulant.

2 "Enclosure" means the use of rigid, durable construction  
3 materials that are mechanically fastened to the substrate in order  
4 to act as a barrier between lead-based paint and the environment.

5 "EPA" means the United States Environmental Protection  
6 Agency.

7 "Friction Surface" means an interior or exterior surface that  
8 is subject to abrasion or friction, including, but not limited to,  
9 certain window, floor, and stair surfaces.

10 "Guest Instructor" means an individual designated by the  
11 training program manager or principal instructor to provide  
12 instruction specific to the lecture, hands-on activities, or work  
13 practice components of a course.

14 "Hands-On Skills Assessment" means an evaluation which tests  
15 the trainees' ability to satisfactorily perform the work practices  
16 and procedures identified in R307-842-1(4), as well as any other  
17 skill taught in a training course.

18 "Hazardous Waste" means any waste as defined in 40 CFR 261.3.

19 "HEPA Vacuum" means a vacuum cleaner which has been designed  
20 with a high-efficiency particulate air (HEPA) filter as the last  
21 filtration stage. A HEPA filter is a filter that is capable of  
22 capturing particulates of 0.3 microns with 99.97% efficiency. The  
23 vacuum cleaner must be designed so that all the air drawn into the  
24 machine is expelled through the HEPA filter with none of the air  
25 leaking past it. HEPA vacuums must be operated and maintained in  
26 accordance with the manufacturer's instructions.

27 "Housing for the Elderly" means retirement communities or  
28 similar types of housing reserved for households composed of one  
29 or more persons 62 years of age or more at the time of initial  
30 occupancy.

31 "HUD" means the United States Department of Housing and Urban  
32 Development.

33 "Impact Surface" means an interior or exterior surface that  
34 is subject to damage by repeated sudden force such as certain  
35 parts of door frames.

36 "Inspection" means a surface-by-surface investigation to  
37 determine the presence of lead-based paint and the provision of a  
38 report explaining the results of the investigation.

39 "Interim Certification" means the status of an individual who  
40 has successfully completed the appropriate training course in a  
41 discipline from an accredited training program, as defined by this  
42 section, but has not yet received formal certification in that  
43 discipline from the director pursuant to R307-842-2. Interim  
44 certification expires 6 months after the completion of the

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1 training course, and is equivalent to a certificate for the 6-  
2 month period.

3 "Interim Controls" means a set of measures designed to  
4 temporarily reduce human exposure or likely exposure to lead-based  
5 paint hazards, including specialized cleaning, repairs,  
6 maintenance, painting, temporary containment, ongoing monitoring  
7 of lead-based paint hazards or potential hazards, and the  
8 establishment and operation of management and resident education  
9 programs.

10 "Interior Window Sill" means the portion of the horizontal  
11 window ledge that protrudes into the interior of the room.

12 "Lead-Based Paint" means paint or other surface coatings that  
13 contain lead equal to or in excess of 1.0 milligrams per square  
14 centimeter or more than 0.5% by weight.

15 "Lead-Based Paint Activities" means, in the case of target  
16 housing and child-occupied facilities, inspection, risk  
17 assessment, and abatement.

18 "Lead-Based Paint Activities Courses" means initial and  
19 refresher training courses (worker, supervisor, inspector, risk  
20 assessor, project designer) provided by accredited training  
21 programs.

22 "Lead-Based Paint Hazard" means, for the purposes of lead-  
23 based paint activities, any condition that causes exposure to lead  
24 from lead-contaminated dust, lead-contaminated soil, or lead-  
25 contaminated paint that is deteriorated or present in accessible  
26 surfaces, friction surfaces, or impact surfaces that would result  
27 in adverse human health effects as identified by the Administrator  
28 of the EPA pursuant to TSCA Section 403, and for the purposes of  
29 renovation, means hazardous lead-based paint, dust-lead hazard, or  
30 soil-lead hazard as identified in R307-840-2.

31 "Lead-Hazard Screen" means a limited risk assessment activity  
32 that involves limited paint and dust sampling as described in  
33 R307-842-3(3).

34 "Living Area" means any area of a residential dwelling used  
35 by one or more children age 6 and under, including, but not  
36 limited to, living rooms, kitchen areas, dens, play rooms, and  
37 children's bedrooms.

38 "Loading" means the quantity of a specific substance present  
39 per unit of surface area, such as the amount of lead in micrograms  
40 contained in the dust collected from a certain surface area  
41 divided by the surface area in square feet or square meters.

42 "Local Government" means a county, city, town, borough,  
43 parish, district, association, or other public body (including an  
44 agency comprised of two or more of the foregoing entities) created

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1 under state law.

2 "Mid-Yard" means an area of a residential yard approximately  
3 midway between the dripline of a residential building and the  
4 nearest property boundary or between the driplines of a  
5 residential building and another building on the same property.

6 "Minor Repair and Maintenance Activities" are activities,  
7 including minor heating, ventilation, or air conditioning work,  
8 electrical work, and plumbing, that disrupt 6 square feet or less  
9 of painted surface per room for interior activities or 20 square  
10 feet or less of painted surface for exterior activities where none  
11 of the work practices prohibited or restricted by R307-841-5(1)(c)  
12 are used and where the work does not involve window replacement or  
13 demolition of painted surface areas. When removing painted  
14 components, or portions of painted components, the entire surface  
15 area removed is the amount of painted surface disturbed. Jobs,  
16 other than emergency renovations, performed in the same room  
17 within the same 30 days must be considered the same job for the  
18 purpose of determining whether the job is a minor repair and  
19 maintenance activity.

20 "Multi-Family Dwelling" means a structure that contains more  
21 than one separate residential dwelling unit which is used or  
22 occupied, or intended to be used or occupied, in whole or in part,  
23 as the home or residence of one or more persons.

24 "Multi-Family Housing" means a housing property consisting of  
25 more than four dwelling units.

26 "Nonprofit" means an entity which has demonstrated to any  
27 branch of the federal government or to a state, municipal, tribal  
28 or territorial government, that no part of its net earnings inure  
29 to the benefit of any private shareholder or individual.

30 "Owner" means any entity that has legal title to target  
31 housing, including but not limited to individuals, partnerships,  
32 corporations, trusts, government agencies, housing agencies,  
33 Indian tribes, and nonprofit organizations, except where a  
34 mortgagee holds legal title to property serving as collateral for  
35 a mortgage loan, in which case the owner would be the mortgagor.

36 "Paint In Poor Condition" means more than 10 square feet of  
37 deteriorated paint on exterior components with large surface  
38 areas, or more than 2 square feet of deteriorated paint on  
39 interior components with large surface areas (e.g., walls,  
40 ceilings, floors, doors), or more than 10% of the total surface  
41 area of the component is deteriorated on interior or exterior  
42 components with small surface areas (window sills, baseboards,  
43 soffits, trim).

44 "Paint-lead hazard" means any of the following:

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1 (a) Any lead-based paint on a friction surface that is  
2 subject to abrasion and where the lead dust levels on the nearest  
3 horizontal surface underneath the friction surface (e.g., the  
4 window sill or floor) are equal to or greater than the dust-lead  
5 hazard levels identified in the definition of "Dust-lead hazard".

6 (b) Any damaged or otherwise deteriorated lead-based paint  
7 on an impact surface that is caused by impact from a related  
8 building component (such as a door knob that knocks into a wall or  
9 a door that knocks against its door frame).

10 (c) Any chewable lead-based painted surface on which there  
11 is evidence of teeth marks.

12 (d) Any other deteriorated lead-based paint in any  
13 residential building or child-occupied facility or on the exterior  
14 of any residential building or child-occupied facility.

15 "Painted surface" means a component surface covered in whole  
16 or in part with paint or other surface coatings.

17 "Pamphlet" means the EPA pamphlet titled "Renovate Right:  
18 Important Lead Hazard Information for Families, Child Care  
19 Providers and Schools" developed under Section 406(a) of TSCA for  
20 use in complying with section 406(b) of TSCA. This includes  
21 reproductions of the pamphlet when copied in full and without  
22 revision or deletion of material from the pamphlet (except for the  
23 addition or revision of state or local sources of information).

24 "Permanently Covered Soil" means soil which has been  
25 separated from human contact by the placement of a barrier  
26 consisting of solid, relatively impermeable materials, such as  
27 pavement or concrete. Grass, mulch, and other landscaping  
28 materials are not considered permanent covering.

29 "Person" means any natural or judicial person including any  
30 individual, corporation, partnership, or association, any Indian  
31 tribe, state, or political subdivision thereof, any interstate  
32 body, and any department, agency, or instrumentality of the  
33 federal government.

34 "Play Area" means an area of frequent soil contact by  
35 children of less than 6 years of age as indicated by, but not  
36 limited to, such factors including the presence of play equipment  
37 (e.g., sandboxes, swing sets, and sliding boards), toys, or other  
38 children's possessions, observations of play patterns, or  
39 information provided by parents, residents, care givers, or  
40 property owners.

41 "Principal Instructor" means the individual who has the  
42 primary responsibility for organizing and teaching a particular  
43 course.

44 "Recognized Laboratory" means an environmental laboratory

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1 recognized by EPA pursuant to TSCA Section 405(b) as being capable  
2 of performing an analysis for lead compounds in paint, soil, and  
3 dust.

4 "Recognized Test Kit" means a commercially available kit  
5 recognized by EPA under 40 CFR 745.88 as being capable of allowing  
6 a user to determine the presence of lead at levels equal to or in  
7 excess of 1.0 milligrams per square centimeter, or more than 0.5%  
8 lead by weight, in a paint chip, paint powder, or painted surface.

9 "Reduction" means measures designed to reduce or eliminate  
10 human exposure to lead-based paint hazards through methods  
11 including interim controls and abatement.

12 "Renovation" means the modification of an existing structure,  
13 or portion thereof, that results in the disturbance of painted  
14 surfaces, unless that activity is performed as part of an  
15 abatement as defined by R307-840-2. The term renovation includes,  
16 but is not limited to, the removal, modification, or repair of  
17 painted surfaces or painted components (e.g., modification of  
18 painted doors, surface restoration, window repair, surface  
19 preparation activity (such as sanding, scraping, or other such  
20 activities that may generate paint dust)), the removal of building  
21 components (e.g., walls, ceilings, plumbing, windows),  
22 weatherization projects (e.g., cutting holes in painted surfaces  
23 to install blown-in insulation or to gain access to attics,  
24 planing thresholds to install weather-stripping), and interim  
25 controls that disturb painted surfaces. A renovation performed  
26 for the purpose of converting a building, or part of a building,  
27 into target housing or a child-occupied facility is a renovation  
28 under this rule. The term renovation does not include minor  
29 repair and maintenance activities.

30 "Renovator" means an individual who either performs or  
31 directs workers who perform renovations.

32 "Residential Building" means a building containing one or  
33 more residential dwellings.

34 "Residential Dwelling" means (1) a detached single family  
35 dwelling unit, including attached structures such as porches and  
36 stoops; or (2) a single family dwelling unit in a structure that  
37 contains more than one separate residential dwelling unit, which  
38 is used or occupied, or intended to be used or occupied, in whole  
39 or in part, as the home or residence of one or more persons.

40 "Risk Assessment" means (1) an on-site investigation to  
41 determine the existence, nature, severity, and location of lead-  
42 based paint hazards, and (2) the provision of a report by the  
43 individual or firm conducting the risk assessment, explaining the  
44 results of the investigation and options for reducing lead-based

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1 paint hazards.

2 "Room" means a separate part of the inside of a building,  
3 such as a bedroom, living room, dining room, kitchen, bathroom,  
4 laundry room, or utility room. To be considered a separate room,  
5 the room must be separated from adjoining rooms by built-in walls  
6 or archways that extend at least 6 inches from an intersecting  
7 wall. Half walls or bookcases count as room separators if built-  
8 in. Movable or collapsible partitions or partitions consisting  
9 solely of shelves or cabinets are not considered built-in walls.  
10 A screened in porch that is used as a living area is a room.

11 "Soil Sample" means a sample collected in a representative  
12 location using ASTM E1727, "Standard Practice for Field Collection  
13 of Soil Samples for Lead Determination by Atomic Spectrometry  
14 Techniques," or equivalent method.

15 "Soil-lead hazard" means bare soil on residential real  
16 property or on the property of a child-occupied facility that  
17 contains total lead equal to or exceeding 400 parts per million  
18 (ug/g) in a play area or average 1,200 parts per million of bare  
19 soil in the rest of the yard based on soil samples.

20 "Start Date" means the first day of any lead-based paint  
21 activities training course or lead-based paint abatement activity.

22 "Start Date Provided to the director" means the start date  
23 included in the original notification or the most recent start  
24 date provided to the director in an updated notification.

25 "State" means any state of the United States, the District of  
26 Columbia, the Commonwealth of Puerto Rico, the United States  
27 Virgin Islands, Guam, the Canal Zone, American Samoa, the Northern  
28 Mariana Islands, or any other territory or possession of the  
29 United States.

30 "Target housing" means any housing constructed prior to 1978,  
31 except housing for the elderly or persons with disabilities  
32 (unless any one or more children age 6 years or under resides or  
33 is expected to reside in such housing for the elderly or persons  
34 with disabilities) or any 0-bedroom dwelling.

35 "Training curriculum" means an established set of course  
36 topics for instruction in an accredited training program for a  
37 particular discipline designed to provide specialized knowledge  
38 and skills.

39 "Training Hour" means at least 50 minutes of actual learning,  
40 including, but not limited to, time devoted to lecture, learning  
41 activities, small group activities, demonstrations, evaluations,  
42 and hands-on experience.

43 "TSCA" means the Toxic Substances Control Act, 15 U.S.C.  
44 2601.

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1 "Training Manager" means the individual responsible for  
2 administering a training program and monitoring the performance of  
3 principal instructors and guest instructors.

4 "Training Provider" means any organization or entity  
5 accredited under R307-842-1 to offer lead-based paint activities,  
6 renovator, or dust sampling technician courses.

7 "Vertical containment" means a vertical barrier consisting of  
8 plastic sheeting or other impermeable material over scaffolding or  
9 a rigid frame, or an equivalent system of containing the work  
10 area. Vertical containment is required for some exterior  
11 renovations but it may be used on any renovation.

12 "Visual Inspection for Clearance Testing" means the visual  
13 examination of a residential dwelling or a child-occupied facility  
14 following abatement to determine whether or not the abatement has  
15 been successfully completed.

16 "Visual Inspection for Risk Assessment" means the visual  
17 examination of a residential dwelling or a child-occupied facility  
18 to determine the existence of deteriorated lead-based paint or  
19 other potential sources of lead-based paint hazards.

20 "Weighted Arithmetic Mean" means the arithmetic mean of  
21 sample results weighted by the number of subsamples in each  
22 sample. Its purpose is to give influence to a sample relative to  
23 the surface area it represents. A single surface sample is  
24 comprised of a single subsample. A composite sample may contain  
25 from two to four subsamples of the same area as each other and of  
26 each single surface sample in the composite. The weighted  
27 arithmetic mean is obtained by summing, for all samples, the  
28 product of the sample's result multiplied by the number of  
29 subsamples in the sample, and dividing the sum by the total number  
30 of subsamples contained in all samples. For example, the weighted  
31 arithmetic mean of a single surface sample containing 60 ug/ft<sup>2</sup>, a  
32 composite sample (3 subsamples) containing 100 ug/ft<sup>2</sup>, and a  
33 composite sample (4 subsamples) containing 110 ug/ft<sup>2</sup> is 100  
34 ug/ft<sup>2</sup>. This result is based on the equation  
35  $(60+(3*100)+(4*110))/(1+3+4)$ .

36 "Wet Disposable Cleaning Cloth" means a commercially  
37 available, pre-moistened white disposable cloth designed to be  
38 used for cleaning hard surfaces such as uncarpeted floors or  
39 counter tops.

40 "Wet Mopping System" means a device with the following  
41 characteristics: A long handle, a mop head designed to be used  
42 with disposable absorbent cleaning pads, a reservoir for cleaning  
43 solution, and a built-in mechanism for distributing or spraying  
44 the cleaning solution onto a floor, or a method of equivalent

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1 efficacy.

2 "Window Trough" means, for a typical double-hung window, the  
3 portion of the exterior window sill between the interior window  
4 sill (or stool) and the frame of the storm window. If there is no  
5 storm window, the window trough is the area that receives both the  
6 upper and lower window sashes when they are both lowered. The  
7 window trough is sometimes referred to as the window "well."

8 "Wipe Sample" means a sample collected by wiping a  
9 representative surface of known area, as determined by ASTM E1728,  
10 "Standard Practice for Field Collection of Settled Dust Samples  
11 Using Wipe Sampling Methods for Lead Determination by Atomic  
12 Spectrometry Techniques", or equivalent method, with an acceptable  
13 wipe material as defined in ASTM E1792, "Standard Specification  
14 for Wipe Sampling Materials for Lead in Surface Dust."

15 "Work Area" means the area that the certified renovator  
16 establishes to contain the dust and debris generated by a  
17 renovation.

18 "0-Bedroom Dwelling" means any residential dwelling in which  
19 the living area is not separated from the sleeping area. The term  
20 includes efficiencies, studio apartments, dormitory housing,  
21 military barracks, and rentals of individual rooms in residential  
22 dwellings.

23

24 **KEY: definitions, paint, lead-based paint**

25 **Date of Enactment or Last Substantive Amendment: May 3, 2012**

26 **Notice of Continuation: November 13, 2018**

27 **Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(i)**

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